

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IP CO., LLC,

Plaintiff,

v.

CELLNET TECHNOLOGY, INC.,

Defendant.

Civil Action No. _____

(N.D.Ga. Civil Action No. 1:05-CV-2658-CC)

**DECLARATION OF RANDOLPH H. HOUCHINS IN SUPPORT THIRD-PARTY
LANDIS+GYR, INC.'S MOTION TO QUASH SUBPOENA**

I, Randolph H. Houchins, declare that I am over twenty-one (21) years of age and am competent to make the following statements based on my personal knowledge:

1. I am Vice President and General Counsel of Cellnet Technologies, Inc. ("Cellnet"), 30000 Mill Creek Avenue, Suite 100, Alpharetta, GA 30022.
2. Landis + Gyr (L+G) entered an Agreement with the Cellnet Division of SchlumbergerSema Inc. on January 8, 2004. Upon a change of ownership, SchlumbergerSema Inc. changed its name to Atos Origin IT Services Inc. ("Atos Origin") on January 29, 2004. The Agreement was then transferred by Atos Origin to Cellnet, a successor-in-interest to the Division's business, on July 23, 2004.
3. Among other businesses, Cellnet manufactures automatic meter reading ("AMR") solutions. Cellnet's AMR solutions incorporate multiple types of radios that work in conjunction with metering devices employed by entities such as electric and gas utility companies. Cellnet's AMR solutions, including its UtiliNet solution, enable

utilities to monitor wirelessly the on-site energy consumption meters of its customers.

Historically, the vast majority of radios in Cellnet's solutions have operated on a type of network known as a "master/slave" network. Cellnet's UtiliNet solution, a much smaller component of Cellnet's product offering, incorporates radios implemented in a mesh network system

4. Cellnet was served through counsel with Plaintiff IP Co., LLC's ("IPCO") First Set of Requests for Production of Documents to Cellnet Technology, Inc. on December 22, 2005.

5. Cellnet will serve its initial responses and objections to IPCO's First Set of Requests for Production of Documents on or before January 23, 2006. Pursuant to IPCO's Requests, and subject to appropriate objections, Cellnet will further produce, at a mutually agreeable time, responsive, non-privileged documents within its possession, custody or control.

6. I have read and understand the scope of IPCO's First Set of Requests for Production of Documents. I have also read and understand the scope of the document requests served with IPCO's subpoena *duces tecum* to "L+G" dated December 29, 2005. To the best of my knowledge, most, if not all, of the responsive, non-privileged documents sought by IPCO's subpoena to L+G will be included the production of Cellnet documents to IPCO.

7. The documents sought by IPCO's *subpoena* contain information that is confidential and proprietary to Cellnet. Public disclosure of this information would cause substantial economic harm to Cellnet

I declare under penalty of perjury under the laws of the United States of America
that the foregoing is true and correct.

Executed on January 20, 2005.


Randolph Houchins

CERTIFICATE OF SERVICE

I, Sean P. Hayes, hereby certify that on January 23, 2006, a true and correct copy of **DECLARATION OF RANDOLPH H. HOUCHINS DOYLE IN SUPPORT OF THIRD-PARTY LANDIS+GYR INC.'S MOTION TO QUASH SUBPOENA** at the following addresses as indicated:

VIA HAND DELIVERY

Gary W. Lipkin, Esq.
Duane Morris LLP
1100 North Market Street
Wilmington, DE 19801-1246

By: _____

Sean P. Hayes